

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS

JOHN J. HINES,  
28578-177,

Plaintiff,

*versus*

WARDEN HEUSZEL, ET AL.,

Defendants.

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CIVIL ACTION H-09-1712

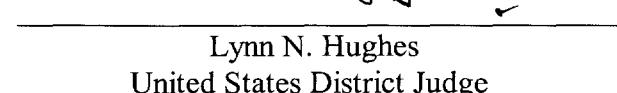
### Opinion on Dismissal

John J. Hines sues for civil rights violations. He is in a detention facility in Montgomery County. Hines has moved to proceed as a pauper. Hines has sued 8 other times in the federal district courts in Texas, including transfers. The district court dismissed four of these lawsuits as frivolous or for failure to state a claim on which relief may be granted. *See Hines v. Seevers, et al.*, 1:03cv75 (N.D. TX.); *Hines v. Helms, et al.*, 1:03cv103 (N.D. TX.); *Hines v. Graham, et al.*, 1:03cv152 (N.D. TX.); and *Hines v. Janet, et al.*, 1:03cv123 (N.D. TX.). When Hines sued, he was held in prison or jail. The district court dismissed these other cases before Hines filed this case.

A prisoner may not bring a case in federal court as a pauper if, while incarcerated, he brought three actions which the court dismissed as frivolous or for failure to state a claim, unless he is under imminent danger of serious physical injury. 28 U.S.C. § 1915(g). Hines's allegations do not show that he is under imminent danger of serious physical injury.

This complaint is dismissed. 28 U.S.C. § 1915(g).

Signed June 17, 2009, at Houston, Texas.



Lynn N. Hughes  
United States District Judge